BOROUGH OF WASHINGTON, WARREN COUNTY, NJ COUNCIL AGENDA February 1, 2011 7:30 PM

STATEMENT OF ADEQUATE NOTICE:

ROLL CALL: Clerk will call the Roll

2011 MUNICIPAL BUDGET

Natasha Turchan CFO

MINUTES:

Regular Meeting of January 18, 2011

EXECUTIVE SESSION MINUTES:

Executive Session of January 18, 2011

CORRESPONDENCE:

- 1. Washington Township Construction Department Re: Shared Service
- 2. Oxford Central School Re: Autism Awareness day
- 3. Mark Bond Re: Forensic Audit
- 4. BID: Year End Report

AUDIENCE:

Remarks, petitions, statements and testimony from guests

ORDINANCES:

None

REPORTS

- 1. Managers Report
- 2. Police Activity
- 3. Issues and Details

COMMITTEE REPORTS

Subcommittee Committee Sewer Committee Shared Services Report Senior Services Committee

Streets Committee

OLD BUSINESS:

Land Use Board (JV) Recreation Commission Correspondence and Draft Ordinance

NEW BUSINESS:

- 1. Resolution 41-2011 Resolution for Redemption of Tax Certificate
- 2. Resolution 42-2011 Resolution for Redemption of Tax Certificate

VOUCHERS:

List Attached

RECAP

COUNCIL REMARKS:

Remarks, Reports, Discussions

EXECUTIVE SESSION:

Resolution 40-2011 Executive Session

ADJOURNMENT: P.M.

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY WASHINGTON BOROUGH COUNCIL MINUTES – January 18, 2011

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

Roll Call: McDonald, Gleba, Jewell, Higgins, Valentine, Boyle, Torres -

Present

Also Present: Richard Cushing, Esq. Municipal Attorney

Richard Phelan Borough Manager Kristine Blanchard, Borough Clerk

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

"The requirements of the 'Open Public Meetings Law, 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.

PRESENTATION:

PP&D Accounting Services

Presentation given by PP&D Accounting services regarding how a forensic audit is conducted and examples of fraud. Examples of fraud can include; unauthorized expenses, kickbacks for awarding a bid, and overpayments. Some forensic audit criteria would include; review public document sources and background checks for information about key individuals, interview knowledgeable persons, develop relationships, perform analysis of evidence, this type of audit will also supplement the auditor's analytical procedures. The ultimate goal is to have better communication and evaluate whether controls in place are effective.

Council discussed focusing the scope of the forensic audit and will continue discussion during old business.

MINUTES:

Mayor McDonald entertained a motion to approve the minutes of the Regular meeting of December 21, 2010 and the Re-Organization meeting of January 4, 2011.

Motion made by Higgins, seconded by Jewell.

Mayor McDonald noted a correction on the December 21 minutes. Councilman Jewell noted corrections on the January 4 minutes.

Roll Call: Higgins, Boyle, McDonald, Gleba, Valentine, Jewell, Torres

Ayes: 7, Nays: 0 Abstain: 0 Motion Carried

EXECUTIVE SESSION MINUTES:

Mayor McDonald entertained a motion to approve the Executive Session minutes of December 21, 2010.

Motion made by Higgins, seconded by Boyle and approved.

Ayes: 7, Nays: 0
Motion Carried

CORRESPONDENCE

Manager Phelan Re: 2011 Budget Information

Motion made by Gleba, seconded by Higgins to approve the correspondence.

Ayes: 7, Nays: 0 Motion Carried

Council Discussion: Manager Phelan stated that in his correspondence he explained that if Council decides to exceed the 2% levy cap it must be approved via referendum. The notice of intent to seek voter input must be published by March 7. A Resolution authorizing the noticed must also be adopted by the Governing Body.

Councilwoman Gleba motioned to have the Resolution prepared in order to publish the notice, seconded by Councilman Valentine. Councilman Higgins asked if there was a date for the referendum election. Manager Phelan stated not at this time.

Ayes: 7, Nays: 0 Motion Carried

AUDIENCE

Mayor McDonald opened the audience portion of the meeting.

Joyce Pyle 88 West Stewart Street

Ms. Pyle asked when Council will consider a Recreation Commission. Mayor McDonald stated this is already on the agenda and will be discussed. Ms. Pyle asked how many bank accounts the Borough has. Manager Phelan will provide that information to her.

Bob Del Elba 86 West Stewart Street

Mr. Del Elba asked Council to reconsider Resolution 217-2010 at tonight's meeting. Mr. Del Elba also commended Council for bringing in the forensic auditor to present to the Governing Body. More education and information is needed for the public.

Mr. Del Elba also suggested bringing in other firms for a presentation as well. He stated it would be a good idea for the Governing Body and the citizens to hear from several different firms.

Rick Feldman 19 Prosper Way

Mr. Feldman requested his recreation committee appointment be discussed in Executive Session. Council agreed.

Hearing no further comments from the audience, motion made by Boyle, seconded by Jewell to close the audience portion of the meeting.

Ayes: 7, Nays: 0 Motion Carried

ORDINANCES

None

REPORTS:

Motion was made by Higgins, seconded by Boyle to receive and file the following reports:

- 1. Managers Reports (redacted version)
- 2. CFO Report

- 3. Municipal Court
- 4. Tax Collectors Revenue Report
- 5. Issues and Details

Councilman Higgins asked about the meeting with State officials next week as reported in the Managers Report. Manager Phelan stated this is a quarterly meeting as agreed to in our Memorandum of Understanding with the State. Manager Phelan stated that they will be discussing the forensic audit, the pay to play ordinance, seasonal employees, etc. Councilman Higgins asked if the State can mandate that the pool be closed. Manager Phelan stated yes.

Councilman Higgins asked if the inter-funds listed on the Tax Collectors report are what we have paid back in 2010. Manager Phelan stated yes, we have paid about 50% of the inter-funds back.

Ayes: 7, Nays: 0
Motion Carried

COMMITTEE REPORTS:

Councilwoman Gleba noted that the DPW Garage Committee can be removed.

Council Committees

Councilman Torres discussed his proposed Council Committee Resolution. He stated the Governing Body needs to make better decisions. He stated he has been to concerned citizens meetings and this is a group of very enthusiastic people. The Borough should have people lining up to volunteer on committees. He would like to see a commitment to citizen advisory committees.

Councilwoman Gleba noted that creating more committees defeats the purpose of having less committees as she suggested at the last meeting. Mayor McDonald suggested creating a subcommittee to review the committees. He stated that the proposed resolution needs some tweaking. Council concurred. Councilman Torres will chair the committee with Councilman Higgins and Councilwoman Gleba as members.

DPW: Will be removed

Streets Committee: No Report

Shared Services Committee: No Report

Senior Services: No Report

Sewer: No Report

OLD BUSINESS

Forensic Audit

Councilman Higgins recommended a Committee be formed to pinpoint the areas of focus. Councilman Higgins will chair the committee with members Councilman Jewell and Councilman Torres. It was also recommended that the Borough Manager be a part of the committee. The Committee will try to meet prior to the next meeting. Audience member Mr. Del Elba suggested that Council invite more auditing firms to present to Council.

Council concurred to have the Borough Manager invite other firms in for a presentation. He will begin with the lowest bidder from the previous bid request and work is way up the list.

Recreation Commission

Motion made by Councilman Higgins, seconded by Councilman Boyle to prepare a draft Ordinance for the creation of a Recreation Commission.

Council Discussion:

Council agreed to begin reviewing a draft Ordinance for the formation of a Recreation Commission. Manager Phelan stated that once an Ordinance is adopted it must go to the State for approval. Councilman Boyle asked for confirmation that this will help the Borough meet the 2% cap levy. Manager Phelan explained that recreation programs are fee based. The only items that will be removed from the current fund budget are the Recreation Director salary and the secretarial salary. If a recreation commission is formed; the commission is responsible for paying the salaries. Councilman Higgins stated that the Borough can contribute. Manager Phelan agreed and stated last year the amount was \$40,000. Councilwoman Gleba asked if the Council has any oversight? Manager Phelan stated if a commission is formed; the commission is responsible for the day to day operations. The commission oversees and funds the entire recreation program. Manager Phelan noted the Borough will still pay the Green Acres Loan, not the commission, if one were to be formed.

Manager Phelan stated the state still has to give approvals for hiring seasonal employees for the 2011 season. Councilman Higgins requested to see the information regarding hiring of employees for the recreation commission.

Attorney Cushing stated that he will work with the Manager in preparing a draft ordinance with more financial controls in place. They will use the previous recreation commission ordinance as a model.

Roll Call: Higgins, Boyle, McDonald, Valentine, Torres, Jewell, Gleba

Ayes: 7, Nays: 0 Motion Carried

At this time, Council discussed Resolution 217-2010, authorizing the waste water engineer to move forward with the geographic information system mapping of the borough's sanitary sewer/storm sewer collection system, previously approved by Council.

Council Discussion:

Councilman Jewell stated he would like more information on this project due to the price tag associated with it. He stated that the manager defined this as a want rather than a need. This may not be the best use of our finances.

Mayor McDonald explained by having this done it will help pin point where the I and I problems are. There is a cost savings to the borough down the road. Councilman Jewell asked if this should have gone to the sewer committee for review and also stated that there is a \$15,000 savings that could be used elsewhere. Councilman Valentine noted that this was already budgeted for in the 2010 budget. Councilman Higgins stated we don't need to spend this money.

Council concurred that the sewer committee will reach out to the engineer to schedule a meeting to discuss. Councilman Higgins asked Manager Phelan to see what dates and times are good for the engineer.

NEW BUSINESS

Approval of Release of Executive Session Minutes from July 6, 2010 and July 18, 2010.

Motion made by Higgins, seconded by Jewell to release minutes.

Ayes: 7, Nays: 0 Motion Carried

Approval of Washington Fire Department Member Benjamin Le Clair.

Motion made by Valentine, seconded by Gleba and approved.

Ayes: 5, Nays: 0

Abstain: 2 (Higgins, Jewell)

Resolution 10-2011 Appointment of a Waste Water Engineer – Suburban Consulting Engineers

Resolution 10-2011 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Councilman Boyle noted he was disappointed with the Engineer. He stated he would like to see better communication and the sewer committee is waiting on the information regarding senior citizen discounts on sewer billing.

Roll Call:

Higgins, Valentine, Jewell, McDonald – Yes

Boyle, Torres - No Gleba – Abstain

Ayes: 4, Nays: 2 Abstain: 1

Resolution 10-2011

RESOLUTION AUTHORIZING 2011 PROFESSIONAL SERVICES CONTRACT WITH SUBURBAN CONSULTING ENGINEERS FOR WASTEWATER CONSULTING SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Wastewater Consultant; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a "fair and open process" that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough's website; and

WHEREAS, on September 30, 2010, proposals for this professional service were publicly opened; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated September 30, 2010 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Wastewater Consulting Services; and

WHEREAS, for budgetary purposed, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of \$20,000.00, excluding escrow-related services; and

WHEREAS; any additional work above and beyond the base Wastewater Consulting Services charged in accordance with the hourly fee schedule stated above only if authorized by the Borough Council of the Borough of Washington; and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

1-05-55-502-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers.

Resolution 11-2011 Appointing Municipal Engineer – Suburban Consulting Engineers

Resolution 11-2011 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Roll Call:

Higgins, Valentine, Jewell, McDonald – Yes

Boyle, Torres - No Gleba – Abstain

Ayes: 4, Nays: 2

Abstain: 1

Resolution 11-2011

RESOLUTION AUTHORIZING 2011 PROFESSIONAL SERVICES CONTRACT WITH SUBURBAN CONSULTING ENGINEERS FOR GENERAL MUNICIPAL ENGINEERING SERVICES

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Engineer; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a "fair and open" process that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough's website; and

WHEREAS, on September 30, 2010 proposals for this professional service were publicly opened; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated September 30, 2010 indicating they will provide the above-referenced services at the rates listed in their fee schedule for General Municipal Engineering Services; and

WHEREAS, for budgetary purposed, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of \$45,000.00, excluding escrow-related services; and

WHEREAS; any additional work above and beyond the base General Engineering Services charged in accordance with the hourly fee schedule stated above only if authorized by the Borough Council of the Borough of Washington; and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

1-01-20-165-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers.

Resolution 28-2011 Release of Escrow - Kathy's Kove

Resolution 28-2011 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Roll Call: Higgins, Jewell, McDonald, Valentine, Boyle – Yes

Torres, Gleba – Abstain

Ayes: 5, Nays: 0 Abstain: 2

RESOLUTION #28-2011

A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM KATHY'S KOVE & KAFE' ESCROW ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Kathy LaCorte, owner of Kathy's Kove & Kafé, 5 W. Washington Avenue, Washington, NJ 07882 has requested the return of the funds remaining in the escrow account for Kathy's Kove & Kafé #7760883194; and

WHEREAS, Board of Adjustment Engineer William Gleba of Finelli Consulting Engineers has determined after reviewing the file that the escrow account money can be released.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Kathy's Kove & Kafé for the actual account balance in the Kathy's Kove & Kafé escrow account.

Resolution 29-2011 Release of Funds from Warren County Habitat for Humanity Escrow

Resolution 29-2011 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Roll Call: Higgins, Jewell, Boyle, McDonald, Valentine - Yes

Gleba, Torres – Abstain

Ayes: 5, Nays; 0 Abstain: 2 Motion Carried

RESOLUTION #29-2011

A RESOLUTION AUTHORIZING THE RELEASE OF FUNDS FROM WARREN COUNTY HABITAT FOR HUMANITY ESCROW ACCOUNT HELD IN TRUST BY THE BOROUGH OF WASHINGTON

WHEREAS, Karen Hillyer, President of Warren County Habitat for Humanity, 31 Belvidere Avenue, Washington, NJ 07882 has requested the return of the funds remaining in the escrow account for Warren County Habitat for Humanity #7760883152; and

WHEREAS, Planning Board Engineer William Gleba of Finelli Consulting Engineers has determined after reviewing the file that the escrow account money can be released, as authorized by the Planning Board at their meeting of May 10, 2010.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Warren County Habitat for Humanity for the actual account balance in the Warren County Habitat for Humanity escrow account.

Resolution 30-2011 Cancel Small Balances for Municipal Taxes

Resolution 130-2011 was moved on a motion made by Boyle, seconded by Valentine and adopted.

Roll Call: Boyle, Valentine, Higgins, Jewell, McDonald, Gleba, Torres

Ayes: 7, Nays: 0 Motion Carried

RESOLUTION #30-2011 CANCEL SMALL BALANCES FOR MUNICIPAL TAXES as per N.J.S.A. 40A:5-17.1

WHEREAS, the State of New Jersey allows a Municipal employee to process the cancellation of any municipal charges including overpayments or delinquencies of \$10.00 and less; and

WHEREAS, the Municipal employee allowed to process the cancellations shall be the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby authorizes the Tax Collector of the Borough of Washington to process the cancellation of any municipal taxes of \$10.00 or less for 2010 and 2011.

Resolution 31-2011 Refund Veteran Deduction

Resolution 31-2011 was moved on a motion made by Boyle, seconded by Valentine and adopted.

Roll Call: Boyle, Valentine, Higgins, Jewell, McDonald, Gleba, Torres

Ayes: 7, Nays: 0 Motion Carried

RESOLUTION #31-2011

RESOLUTION TO REFUND VETERAN DEDUCTION ALLOWED As per N.J.S.A. 54:4-8.40 Et seq

WHEREAS, the Tax Assessor and Tax Collector has allowed the following Veterans' Deduction and wishes to refund this deduction; and

BLOCK	<u>LOT</u>	NAME OF OWNER/ PROPERTY LOCATION	EXPLANATION AMOUNT	
82	15	Giovannone, Pasquale 98 Youmans Avenue Washington, NJ 07882	Veteran's Deduction Allowed in 2010	250.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Treasurer be authorized to refund the amount of \$250.00 to Pasquale Giovannone.

Resolution 32-2011 Refund Tax Deduction and Tax Overpayment

Resolution 32-2011 was moved on a motion made by Boyle, seconded by Jewell and adopted.

Roll Call: Boyle, Jewell, Higgins, McDonald, Gleba, Valentine, Torres

Ayes: 7, Nays: 0 Motion Carried

RESOLUTION #32-2011

RESOLUTION TO REFUND VETERAN DEDUCTION ALLOWED AND TAX OVERPAYMENT
As per N.J.S.A. 54:4-8.40 Et seq

WHEREAS, the Tax Assessor and Tax Collector have allowed the following Veterans' Deduction. A 2009 tax overpayment was created by the mortgage company and the taxpayer both paying the 4th quarter 2009 Added Assessment. The Tax Collector wishes to refund these overpayments; and

BLOCK	<u>LOT</u>	NAME OF OWNER/ PROPERTY LOCATION	EXPLANATION AMO	<u>UNT</u>
8	1	Kenney, Susanne 111 W Warren St	Veteran's Deduction Allowed in 2010	250.00
		Washington, NJ 07882	4 th Quarter 2009	48.41

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Treasurer be authorized to refund the amount of \$298.41 to Susanne Kenney.

Resolution 33-2011 Approving Certain Curbing Improvements along the Right of Way of Gibson Place for P&P of Washington LLC

Resolution 33-2011 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Councilman Higgins confirmed that the applicant is paying for all improvements. Attorney Lowcher stated that they are paying for the improvements.

Roll Call: Boyle, Higgins, Jewell, McDonald, Valentine, Torres – Yes

Gleba – Abstain

Ayes: 6, Nays: 0 Abstain: 1 Motion Carried

RESOLUTION # 33-2011

A RESOLUTION APPROVING CERTAIN CURBING IMPROVEMENTS ALONG THE RIGHT OF WAY OF GIBSON PLACE FOR P&P OF WASHINGTON LLC

WHEREAS, the Applicant (P&P of Washington LLC) applied to the Board of Adjustment for Variance relief for Block 56 Lot 1; and

WHEREAS, the Board of Adjustment granted Variance relief in Resolution 2010:8; and

WHEREAS, Resolution 2010:8 states that the Applicant must receive formal approval of the Borough Council of the placement of the improvements within the right of way of the are of Gibson place; and

WHEREAS, Resolution 2010:8 also states the Applicant shall afford the Borough with title 39 jurisdiction over both properties to afford the Borough with police enforcement over all traffic regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Governing Body hereby gives approval to P&P of Washington LLC Block 56 Lot 1 (66 Route 31 North) for the placement of improvements along the right of way of Gibson

Place as outlined in the Board of Adjustment Resolution 2010:8.

Resolution 35-2011 Resolution to Refund Soil and Sedimentation Control Application

Resolution 35-2011 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Roll Call: Higgins, Boyle, Valentine, Torres, McDonald – Yes

Abstain: Gleba, Jewell

Ayes: 5, Nays: 0 Abstain: 2 Motion Carried

RESOLUTION #35-2011

A RESOLUTION AUTHORIZING A REFUND OF SITE PLAN APPLICATION FEE TO WARREN COUNTY HABITAT FOR HUMANITY

WHEREAS, Karen Hillyer, President of Warren County Habitat for Humanity, 31 Belvidere Avenue, Washington, NJ 07882 has requested the return of the site plan application fee deposited into the Current Fund in the amount of \$150.00; and

WHEREAS, the Planning Board authorized the refund of the site plan application fee and remaining escrow account monies at their meeting of May 10, 2010.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough

of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Warren County Habitat for Humanity in the amount of \$150.00, to be charged to Refund of Revenue – Acct. #1-01-55-274-000-000 in the Current Fund to refund the site plan application fee.

Resolution 36-2011 Recreation Committee Appointment – Michael Nauchbaur

Resolution 36-2011 was moved on a motion made by Valentine, seconded by Gleba and adopted.

Ayes: 7, Nays, 0 Motion Carried

RESOLUTION 36-2011

RECREATION COMMITTEE

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan "E" of Municipal Charter Law; and

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Recreation Committee with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Recreation Committee for a term ending 1/01/2015

Michael Nachbaur

Resolution 37-2011 Recreation Committee Appointment – Maria Martinez

Resolution 37-2011 was moved on a motion made by Jewell, seconded by Boyle and adopted.

Ayes: 7, Nays: 0 Motion Carried

RESOLUTION 37-2011

RECREATION COMMITTEE

WHEREAS, the Borough of Washington, Warren County, New Jersey is governed by Plan "E" of Municipal Charter Law; and

WHEREAS, under this plan the Mayor of the Borough is to appoint the members of the Recreation Committee with the consent of the Borough Council; and

WHEREAS, the Mayor has designated the following person his appointee;

WHEREAS, The Council does approve of this appointment.

NOW, THEREFORE, BE IT RESOLVED, that the following named person is appointed to the Recreation Committee for a term ending 1/01/2015

Maria Martinez

Resolution 38-2011 Planning Board Appointment – Class II Employee Member – Mike Stone

Resolution 38-2011 was moved on a motion made by Valentine, seconded by Gleba.

Roll Call: Valentine, Gleba, McDonald – Yes

Higgins, Boyle, Jewell, Torres – No

Ayes: 3, Nays: 4 Motion Failed

Council discussed the Borough Manager and his role as the employee representative on the Planning Board.

Motion made by Higgins, seconded by Torres to appoint the Borough Manager as the Employee Representative to the Planning Board.

Roll Call:

Higgins, Torres, Jewell, Boyle – Yes

McDonald, Valentine – No

Gleba – Abstain

Ayes: 4, Nays: 2

Abstain: 1

Motion Carried

VOUCHERS

Motion made by Higgins, seconded by Valentine to approve the claims and vouchers in the amount of \$175,478.14

Ayes: 7, Nays: 0

Abstain: 3 (Higgins – Fire Department Invoices, Gleba – Finelli Consulting

Invoices), Jewell – Rescue Squad, Fire Department Invoices

Motion Carried

RECAP

Manager Phelan will find out the number of bank accounts the Borough is using. Manager Phelan will reach out to a second accounting firm for a presentation of forensic auditing to the Governing Body. Manager Phelan will work with the Borough Attorney regarding a draft ordinance for a Recreation Commission and will reach out to the Municipal Engineer regarding availability for a meeting with the sewer committee to discuss the GIS project.

COUNCIL REMARKS

Councilman Valentine stated that if Councilman Higgins would prefer; he would be happy to serve has the BID liaison. Councilman Higgins will get back to him. Councilman Valentine also stated that he would like to discuss the possibility of a Land Use Board at the next meeting.

Councilman Torres inquired as to how much money the cost of snow removal has been with the recent storms. Manager Phelan estimated around \$5,000 but will get back to him with a more accurate number.

Councilwoman Gleba asked if there had been a response from Freeholder Gardner regarding a meeting with the Council. The Mayor will send a letter from the Governing Body. Councilwoman Gleba also asked if the Council would like to use the contribution from Comcast for the Franchise Renewal to pay for the Comcast charges over the next several years. Council would like to review what the charges are. Manager Phelan will provide.

Councilman Boyle asked if the Manager will be providing the Borough with his annual report. Manager Phelan stated yes; he is working on this and will provide in March.

Councilman Jewell asked if there had been a problem with a DPW vehicle. Manager Phelan stated yes; it had been resolved.

Councilman Higgins stated he was unhappy with the snow and ice removal of the side roads. He also noted for Councilman Valentine that any polling of the Council over email is prohibited. All votes need to be taken during an open session.

At this time, motion made by Jewell, seconded by Higgins to enter Executive Session for personnel and litigation after a five minute recess.

Ayes: 6, Nays: 1 Motion Carried

EXECUTIVE SESSION

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A.* 10:4-6 *et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Council find it necessary to conduct an executive

session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the

Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by N.J.S.A. 40:4-12: A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon: A matter where the release of information would impair a right to receive funds from the federal government; A matter whose disclosure would constitute an unwarranted invasion of individual privacy; A collective bargaining agreement, or the terms and conditions thereof (Specify contract:); A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection; Investigations of violations or possible violations of the law; X Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract the public negotiations is: DPW Garage disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.) Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: OR the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: Gebhardt and Kiefer and Recreation Committee Appointment the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;
Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;
BE IT FURTHER RESOLVED that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.;
BE IT FURTHE RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.
A motion was made by Gleba, seconded by Jewell, to exit Executive Session at 11:20 p.m.
Ayes: 7, Nays: 0 Motion carried.
Hearing no further business, a motion was made by Torres, seconded by Valentine, to adjourn the meeting at 11:20 pm.
Ayes: 7, Nays, 0 Motion Carried.
Mayor Scott McDonald Kristine Blanchard, Borough Clerk

Executive Session Minutes January 18, 2011

Borough of Washington, Council Chambers

Rick Feldman discussed with Council how disappointed he was not to be reappointed to the Recreation Committee after eighteen years of service. Mayor McDonald stated that this was a business decision. Mr. Feldman would like the opportunity to discuss this with Council again if he wishes.

Attorney Cushing gave a brief update to Council regarding the DPW Garage litigation. He has received the interrogatories from First Surety.

Attorney Cushing also discussed his appointment with Council. He has spoken to the concerned Council members and feels that any questions or concerns with his appointment have been resolved.

Respectfully submitted,

Kristine Blanchard, Borough Clerk



Washington Twp Inter-Local Construction Department 211 Route 31 North Washington, NJ 07882

Tel: 908.835.1732 Fax: 908.835.1749

Joseph E. Rossi, Construction and Electrical Official Dennis Allen, Building and Assistant Construction Official Tim Dieterman, Plumbing Official

Sue Berger, Technical Assistant Dianne Edwards, Technical Assistant Ralph Price, Fire Official

January 20, 2011

The Honorable Scott McDonald Borough of Washington 100 Belvidere Avenue Washington, New Jersey 07882

Dear Mayor McDonald:

I would like to take this opportunity to follow up with you regarding the potential shared-service agreement that I presented to you recently. The benefits of this agreement should be given serious consideration.

At the time of my presentation, Washington Township offered a 6 ¼ percent revenue on all permits issued in Washington Borough. Not only would this be a financial benefit to your town, but the location of our office is more convenient to your residents when compared to the State of New Jersey DCA office on Route 173 in Asbury. We also performed a side-by-side comparison with our fee schedule and found that in many cases, we are lower than the state fees.

Another advantage of having a local Building Department is that there allows for a better follow-up on older permits that have not been closed out. Often times when a permit remains open, the Tax Department has not been updated on improvements on the home. Since there is not the volume of permits in a local office, it becomes more likely that these permits will be updated and closed out, subsequently increasing the ratable for the property assessment. This generation of increased tax revenue would come at no cost to your municipality.

Finally, the added benefits to residents is having the increased chance of working with the same sub-code inspector when questions and/or issues arise, rather than multiple inspectors with multiple answers.

I would very much appreciate the opportunity to follow up on our discussion for the potential benefits for a shared-service agreement between Washington Township and Washington Borough.

/ Dea

Joseph Rossi Construction Official

JR:de

Cc: Peter deBoer

Mayor Samir Elbassiouny

Oxford Central School

17 Kent Street Oxford, NJ 07863

Mr. Robert J. Magnuson Chief School Administrator Ms. Patricia A. Martucci Business Administrator www.oxfordcentral.org 908-453-4101 Ms. Milissa Dachisen Vice Principal

January 14, 2011

Mayor Scott McDonald Washington Borough 100 Belvidere Avenue Washington, NJ 07882

Mayor McDonald,

I am writing to invite you and the other committee members to the first annual Autism Awareness Day, 5K Run and Walk that we are helping to co-sponsor with our Warren Hills Cluster schools: Mansfield, Washington Township, Washington Borough, Warren Hills and Franklin. The date for this event is April 9th and is being held at Meadow Breeze Park in Washington Township. This special day is designed to raise awareness and funds to conduct research here in New Jersey and promote the many ways we can assist children and families who are dealing with this disability every day. Please see the attached forms for more information.

As you will see from the flyer there will be an awards cere conclusion of the race. We anticipate the ceremony to commer a.m. On behalf of the "All Together for Autism" Commune we would like it very much if you could join us in this ceremony. Of course, you are more than welcome to participate in the run or walk! Just complete the attached registration form.

Please RSVP either way by March 7th regarding participating in the awards ceremony so we can plan accordingly. I can be reached at 453-4101 ext. 2104.

Sincerely,

Milissa Dachisen

Mlisse Dachison

MARK BOND

74 FLOWER AVENUE WASHINGTON, NEW JERSEY 07882

January 22, 2011

Hon. Scott McDonald, Mayor
Members of the Washington Borough Council
100 Belvidere Avenue
Washington, NJ 07882 (via e-mail to kblanchard@washingtonboro-nj.org)

Dear Mayor McDonald and Council members:

I am writing regarding the binding Forensic Audit Initiative approved by the voters of Washington by a margin of 1411 to 236 on November 2, 2010.

I read an article in the January 20th edition of the Express-Times concerning the audit which reported that "borough officials must figure out how to focus the study of the financial ledgers".

Nothing could be further from the truth. The proposed initiative that appeared on the ballot:

SHALL THE GOVERNING BODY OF THE BOROUGH OF WASHINGTON BE REQUIRED TO CONTRACT THE SERVICES OF A QUALIFIED AUDITING FIRM TO CONDUCT A COMPLETE FORENSIC AUDIT, COMMENCING IN THE YEAR 2011 AND GOING BACK 5 (FIVE) FISCAL YEARS, OF ALL MUNICIPAL FINANCIAL TRANSACTIONS AND PROCEDURES?

is crystal clear and does not afford borough council any wiggle room or the ability to fine tune the scope of the audit for any reason. This is a binding initiative under our form of Government.

I should note that with the exception of the exact dates, The description of the professional services required in section 6 of the REQUEST FOR PROPOSALS FOR FORENSIC AUDIT SERVICES solicited by Washington Borough and opened on April 29, 2010 at 10:00AM, appears to meet the standards set forth in the initiative question. Schneider & Co. responded to that solicitation with a cost ranging between \$47,500 and \$62,500.

I have attached copies to this letter for the benefit of the newly elected council members and those that may have not seen the actual initiative and associated interpretive statement and/or the April 29, 2010 RFQ.

The people of Washington have clearly stated their intentions, please follow through without delay.

Cordially and Sincerely,

Mark S. Bond

enc: Forensic Audit Initiative, RFQ Forensic Audit 2010

The purpose of this Petition is to gather sufficient signatures of registered voters of the Borough of Washington so that an initiative authorizing an Ordinance shall be placed on the November 2010 General Election ballot.

(The Proposed Initiative)

AN INITIATIVE AUTHORIZING AND DIRECTING THE MUNICIPAL CLERK OF THE BOROUGH OF WASHINGTON, COUNTY OF WARREN AND STATE OF NEW JERSEY, TO SUBMIT THE FOLLOWING QUESTION IN SUBSTANTIALLY THE SAME FORM TO THE VOTERS:

"SHALL THE GOVERNING BODY OF THE BOROUGH OF WASHINGTON BE REQUIRED TO CONTRACT THE SERVICES OF A QUALIFIED AUDITING FIRM TO CONDUCT A COMPLETE FORENSIC AUDIT, COMMENCING IN THE YEAR 2011 AND GOING BACK 5(FIVE) FISCAL YEARS, OF ALL MUNICIPAL FINANCIAL TRANSACTIONS AND PROCEDURES?"

(Interpretive Statements)

The enactment of this Ordinance would allow for a forensic audit of Washington Borough's financial procedures and transactions for the last five years. The State Comptroller's Office conducted a partial audit in Washington Borough in 2008, which resulted in a report pointing to glaring examples of fiscal mismanagement and significant over-expenditure, providing valuable guidelines for improvement, limited to the small areas of focus in their examination. A complete forensic audit would uncover all the deficiencies and provide complete explanations and recommendations for sound policies and procedures, in order to reduce our tax burden in the future.

The voters of Washington Borough have authority to enact this Ordinance pursuant to New Jersey State Law: N.J.S.A. 40:69A-184 et seq.

The intent and purpose of this Ordinance is to promote higher transparency and accountability in our local government and provide for a basis for sound financial planning and tracking and more efficient fiscal management through firmly established policies, thus reducing the tax burden of Washington Borough Residents.

The adoption of this ordinance would allow for a one-time expense for a forensic audit, but can lead to significant savings every future year, by avoiding over-expenditure and eliminating fiscal mismanagement.

Committee of Petitioners pursuant to N.J.S.A 40:69A-186

Robert Dell Elba, 86 West Stewart Street, Washington, N J Sherry Dell Elba, 86 West Stewart Street, Washington, N J Dan Jones, 83 West Warren Street, Washington, N J Denise Jones, 83 West Warren Street, Washington, N J Edna Detlefs, 27 Fisher Avenue, Washington, N J Rick Feldman, 19 Prosper Way, Washington, NJ

Jack Fox, 66 West Stewart Street, Washington, N J Pearl Fox, 66 West Stewart Street, Washington, N J Dawn Higgins, 113 Harding Drive, Washington, N J Debbie Johnson, 102 Youmans Ave, Washington, N J Anthony Auriemma, 102 Youmans Ave, Washington, N J Sue Sloan, 89 Grand Ave., Washington, N J

BOROUGH OF WASHINGTON REQUEST FOR QUALIFICATIONS: FORENSIC AUDIT SERVICES PROPOSAL OPENING DATE: THURSDAY, APRIL 29, 2010 AT 10:00AM

REQUEST FOR PROPOSAL FOR FORENSIC AUDIT SERVICES

- 1. The Borough of Washington is soliciting proposals for conducting a full Forensic Audit of all Borough financial transactions during a particular five (5) year period. Specifically, calendar years 2004 2008. Proposals will be accepted for this professional services set forth in the Public Notice, a copy of which is attached hereto.
- 2. All proposals shall be submitted to Richard Phelan, Borough Manager, 100 Belvidere Ave., Washington, NJ 07882 no later than Thursday, April 29, 2010. One (1) original copy and (1) digital copy of the complete proposal must be submitted.
- 3. All proposals shall include, at a minimum: the name, address and all contact information of the person or firm making the proposal; a statement of qualifications, including all applicable professional licenses held; a statement of experience in rendering such professional services to public entities; and a proposal for compensation or a schedule of fees to be charged for such professional services.
- 4. All proposals will be evaluated by the Borough Council of the Borough of Washington.
- 5. Proposals will be evaluated by the Borough Council of the Borough of Washington on the basis of the proposals deemed to be most advantageous, price and other factors considered. The evaluation will consider:
 - a. Experience and reputation in the field;
 - Knowledge and experience with Borough Council form of government;
 - c. Knowledge of the Borough of Washington and the subject matter to be addressed under the contract;
 - d. Availability to accommodate any required meetings of the Borough;
 - e. Support staff availability;
 - f. Compensation proposal;
 - g. Other factors, if determined to be in the best interest of the Borough of Washington.
 - A description of the professional service required by the Borough of Washington is as follows:

The successful firm shall be responsible for conducting a full, Forensic audit. For purposes of this Request for Proposals, a "Full, Forensic Audit shall include, but not be limited to, the following minimum requirements:

- Reviewing all expenditures from all budget accounts that transpired during calendar years 2004 2008 to look for inconsistencies, errors and fraud.
 - o Taking all the accounts, inventories, assets, capital and other economic elements and determining if any inconsistencies, errors and fraud has occurred.

BOROUGH OF WASHINGTON REQUEST FOR QUALIFICATIONS: FORENSIC AUDIT SERVICES PROPOSAL OPENING DATE: THURSDAY, APRIL 29, 2010 AT 10:00AM

- Review of all financial documentation (IE: Annual Audits. Annual Financial Statements, Annual Debt Statements, Bond Ordinances, and the like) during calendar years 2004 – 2008 to look for inconsistencies, errors and fraud.
- Interview various personnel (as permitted by law), which will include but not be limited to employees, volunteers & vendors; both past and present.
- Final report preparation and presentation to the Borough Council of the Borough of Washington the findings of the "Full, Forensic Audit."

All applicants are required to provide a cost proposal in the following manner:

- Minimum cost per calendar year reviewed. *
 - o EXAMPLE
 - 2004 \$XXXX
 - 2005 \$XXXX
 - **2006 \$XXXX**
 - * 2007 \$XXXX
 - * 2008 \$XXXX
- Maximum cost per calendar year reviewed. **
 - o EXAMPLE
 - * 2004 \$XXXX
 - 2005 \$XXXX
 - 2006 \$XXXX
 - 2007 \$XXXX
 - 2008 \$XXXX
- Hourly Rate for services above-and-beyond those requested in this Request for Proposals.
 - o In the event additional work is needed, the Borough Council of the Borough of Washington will approve on an as-needed basis.
- *Minimum costs assume that during each of the calendar years reviewed, there were no inconsistencies, errors and fraud detected. As a result, the audit is completed in a more timely manner which equates to a lower cost.
- **Maximum costs assume that during each of the calendar years reviewed, there were inconsistencies, errors and fraud detected. As a result, the audit require additional time, manpower and report preparation to account for said activities, which equates to a higher cost.
 - All applicants/firms submitting proposals MUST be Forensic Certified Public Accountants (FCPA) in order for your submission to be considered.
 - o Proof of this certification must be supplied with your proposal.
 - Interviews will be scheduled with successful applicants before the Borough Council of the Borough of Washington.



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Business Plan

Executive Summary

The Washington Borough Business Improvement District (WBID) is a nonprofit organization 501(c)(3) formed as a legal self-governing body, funded through an assessment on business property. The purpose of the WBID is to enable local property owners, merchants and residents to plan for, manage and finance supplemental services and improvements beyond those already provided by the Borough of Washington.

Vision Statement

The Washington Borough Business Improvement District is an optimistic community of dynamic action-oriented friends and neighbors, steeped in a rich history of family values, opportunity, prosperity, integrity, and hospitality.

We are committed to exceeding our customer's expectations of value.

This is who we are. This is what you can count on.

Mission Statement

The mission of the WBID is to be professionally managed so that our Standards of Excellence are delivered effectively to our customers, exceed their expectations, and provide an experience of enhanced value.

Standards of Excellence (Values)

- Honesty and integrity of personal/professional relationships
- Communication
- Variety and acceptance of businesses
- Commitment to success
- Commitment to excellence
- Convenience and accessibility
- Safe/Clean
- Respect for others
- Caring and helpful
- People of action
- Self-worth

Comprehensive Strategy

Cooperative business management starts by understanding that every aspect of the business environment contributes to a successful experience by the customer. It is a comprehensive and coordinated approach that requires the attention of an active professional management effort. A successful business district manages the business environment in a comprehensive manner as a service to the customer. Service is the competitive edge, and management is the key to success. Services are grouped into the following six categories:

- **Management & Administration:** The WBID will be managed by a volunteer Board of Directors and a hired Executive Director. A professional office will be maintained.
 - o Organizational Chart See appendix A
 - o Chart of Classifications, Board of Directors See appendix B
- **Promotions & Public Relations:** The WBID will have a corporate design theme; provide joint advertising opportunities; conduct appropriate market research; support and design special events; support retail promotions, coordinate public relations and provide a customer information center.
- Improvements & Maintenance: The WBID will support the Downtown Redevelopment Plan and provide for better managed and enhanced parking sites; improved safety & clean up efforts; enhanced street lighting, signage, and pedestrian friendly designs. The WBID will also provide for more user-friendly outdoor design for streets and sidewalks including: benches, trees, lighting, facades, etc. It will also address pedestrian access, way finding and signage improvements as well as traffic problems in general.
- **Business Recruitment & Retention:** The WBID will develop business investment guides and financing programs; business development, support and training programs; develop cultural, retail and dining plans; develop long-range strategies; and pursue public and private funding.
- **Planning & Legal:** The WBID will develop Board training, an annual budget and work plan, as well as short and long-term business plans. The management will work on redevelopment strategies and coordinate with the Borough's economic and redevelopment plans, community organizations, and cultural organizations. The WBID will also address upgrades to local regulations and codes.
- Business Practices & Performance: The WBID will operate as a business community in a cooperative and planned manner necessary for effectively responding to customer demands. Common business standards and operating procedures, such as standardized times when all businesses are open, address the organizational capacity of the district, and communicate a higher level of business sense and service.

Marketing Plan

The WBID contracted David Milder of Danth Inc. to perform a complete Market Research & Analyses as well as a Strategy & Action Plan. The Marketing Steering Committee, Executive Committee, and other Subcommittees have spent many hours working together to plan and execute the Action initiatives necessary for the WBID comprehensive long term Marketing strategy. Attached in appendix C is the Action Plan segment (pages 84-103 of the report). There are many charts, statistics and detailed analyses in the body of the report. A full copy of the report is available upon request, please e-mail admin@washingtonbid.org.

Redevelopment Planning Partner

The WBID is committed to partnering with the Borough on the development and execution of the Redevelopment Plan. The Executive Director was a member of the Redevelopment Committee and actively participated and contributed to the plan. The WBID's Marketing and Business Consultant both reviewed the plan extensively and provided input which was well received and implemented into the plan. To view the Redevelopment Plan, type the below address into the browser bar of your computer: http://www.washingtonboro-nj.org/downtown-redevelopment.html.

2010 Year End Summary

Operating in the midst of a struggling economy, 2010 has held challenges for many businesses and Downtowns. The WBID valiantly forged ahead to continue with the mission and objectives we had established. We are proud to recap the achievements our partnership was able to accomplish.

Management & Administration

Executive Director attended educational and informative seminars specifically directed to assist in the achievement of our goals & make the necessary contacts to further our mission. In addition, the Executive Director served as an advisor to the Warren County Youth Leadership Program, and as a member of the Warren County Economic Development Committee, the Route 57 Scenic Byway Committee and the Warren Hills Council of the Warren County Regional Chamber of Commerce. The Executive Director participated with a booth at 2 Expos for Business Recruitment.

The WBID directed, managed and administered 7 successful events in the Borough as well as a weekly Farmer's Market and Monthly Cruise Night which will be detailed under PR/Marketing. These events drove 15,000 potential customers into Washington Borough this year alone. 2010 event income reached an all time high of \$38, 350 through aggressive fundraising and community outreach. This is extremely important as it frees up funds for other endeavors and alleviates the cost/burden of the events from the budget.

Public Relations & Marketing

Throughout 2010, the Washington Business Improvement District has maintained a positive - and constant - media presence, whether in newspapers and other print publications (such as magazines, newsletters, calendars, and business journals), radio and cable TV. A Cooperative Advertising Program was negotiated with Comcast. The WBID has now expanded their media campaign to reach over 25,000 households on cable TV. In addition, over 115,000 impressions were done on Comcast.net. Over 50 press releases were generated as of December 31, resulting in a total of approximately 250 media "hits." Press releases ran the gamut in content, from the new parking lot to grand openings to WBID business "news" and events (preview stories as well as post event stories). In addition, we have placed over 100 print and radio ads in outlets ranging from the Daily Record in Morris County, the Star-Ledger, Express-Times, Warren Reporter, The Press News, WRNJ Radio, 99.9 The Hawk and more. We enjoy solid ongoing working relationships with radio stations WRNJ and WNTI and Internet radio station Homegrown Radio NJ, all of which provide us with services and free advertising above and beyond any paid advertising. WRNJ, for example, frequently interviews the WBID Executive Director about upcoming events and newsworthy stories, at no cost to the WBID. Both WNTI and Homegrown give us free advertising and mentions through sponsorship trade agreements. The WBID has also produced a host of flyers and posters for events and business activities. We regularly post events on a number of websites, as well as maintain our own website. Through December, we will have hosted and promoted 11 grand openings (or re-openings) this year, as well as highlighted various businesses celebrating anniversaries or special events. Additionally, both the Executive Director and the PR

Consultant speak with business owners about marketing strategies above and beyond the WBID.

Events managed by the Washington Business Improvement District are ultimately intended to raise regional awareness. All events are planned with businesses in mind, and how they can benefit from increased pedestrian traffic and sales. However, while it is great that customers (or potential customers) are drawn to Washington Borough, events are also intended to promote an overall positive atmosphere. These events stimulate publicity and generate goodwill and community spirit, and often initiate interest from new entrepreneurs and developers. The Festival in the Borough, Warren County's largest street and music festival, has become the Borough's signature event and clearly is the most popular as it now attracts 9,000+ people each year. We are also extremely proud of our Farmers Market, which won a Countywide Award. The Car Show continues to be a favorite in June and the 2nd Annual Halloween Downtown Business Trick-or-Treat was a huge success as hundreds of children collected goodies from a host of participating businesses. This years "Hometown Holiday" event reached a new peak of success in its expanded format with hundreds gathering for the Tree and Menorah lightings, 3 choral groups, live bands, a Midnight Madness Sale, Horse drawn Carriage Rides and a packed Art Exhibit/Wine Tasting. The WBID also continues to be a proud partner with the Borough and Businesses on some non-WBID related events, including the annual Townwide Yard Sale, Washington Celebrates America, and the Annual Kids Expo.

Improvements & Maintenance

Operating during such difficult financial conditions, our budget was diligently analyzed to carefully prioritize the physical improvements which would have the greatest impact on the Borough's redevelopment and revitalization, yet still maintain the highest level of service to the community.

The **parking lot improvement project** was given high priority as it is integral to the continued growth of the downtown. In 2009-2010, the Parking Lot Committee comprised of members from the WBID and the Borough Council and Manager, was able to procure funding through a USDA guarantee on a Commercial Bank Loan with Skylands Community Bank. Countless hours of time was invested by the WBID, and the Board President, Ed Rossi functioned as the General Contractor to achieve construction cost savings that brought this project in under \$400,000. The 2010 actual expenditures for the parking lot amounted to \$29,000, which was a savings/reduction of \$8,700 from the original budget plan.

The WBID continued work on implementing the next stage of the Redevelopment area and Marketing Action Plan, a pocket **park** adjacent to the Midtown Parking Lot. In 2009, a purchase/donation was negotiated with the property owners of the former Antique Center at 44 E Washington Avenue. A nationally known Architect team was enlisted on a volunteer basis and a conceptual drawing and project plan developed. In 2010, the WBID conducted due diligence on the site and moved forward aggressively to seek funding. Budgetary expenditures on the Park for 2010 amounted to \$14,700. In December of 2010, the Freeholders approved a Grant award of \$100,000 for the purchase of the property.

Parking signage was an important initiative; \$3800 was funded to this. An additional sign was installed at the lot located on South Lincoln, and updates and improvements were made to signage at the Midtown, Broad Street, and United Methodist Church lots.

Banners and Seasonal Decorations were provided.

The WBID worked closely with the newly merged Washington Township Police Force to improve the coverage at nearby businesses and parking lots. \$2700 of equipment was donated to the PD. Improvement and expansion to the existing surveillance system was researched and targeted for 2011 due to the potential for availability of grant funding.

An ongoing concern was finally moved forward when the WBID and Borough formed a Snow Removal Agreement.

WBID Director James Messina and Contractor & Volunteer John Parr planted 25 oak barrel **planters** throughout the downtown, providing a beautiful finishing touch to the Streetscape.

Cleanliness is crucial to the appearance of a Downtown. WBID employed a part-time worker to remove trash, litter, debris, and do light landscaping.

Welcome sign area and **landscaping** at 31 & 57 was maintained by a contractor retained by the WBID.

Business Recruitment & Retention

A Business Incentive Program was developed and an award was given to attract and incoming retailer in a niche directed from the Marketing Action Plan.

Despite the brutal economy, there were 7 new and 4 reopened businesses in Washington Borough for 2010. Main Antiques, Thrifty Kids, Headliner's Salon, Second Time Around, Quality Furniture of North Carolina, Kathy's Kove & Kafe and Shirtadelic Grand-Opened, while Washington Health Foods, Frank Blanche Signs, Habitat for Humanity and the ARC Emporium businesses relocated in Washington during 2010. Renter Tom Fischer, expanded and invested in the Borough with his purchase of 43-45 Broad Street for the Law Offices of Broscious Fischer and Zaiter. The newly redeveloped Bank Building at 2 West Washington Avenue filled its office space and opened a Ballroom for Affairs. 2 manufacturing spaces were filled on Willow Street.

Planning & Legal

A Professional Business Plan Report is reviewed and updated on an annual basis and serves as a foundation in formulating the Annual Budget and plan, as well as more detailed Short Term Project Plans.

The WBID prepares monthly and biannual financial reports, a CPA acts as the volunteer Treasurer, and an outside CPA certified in the specialization of 501 C-3/non-profit conducts an annual audit and financial statement as well as providing guidance for procedures.

The Borough's Redevelopment Plan and the Danth Marketing Action Plan are continuously reviewed and opportunities for implementation are considered and brought to the agenda. Open dialogue and consultation are provided by PHDs Seth Grossman and David Milder.

The WBID consults with Redevelopment Attorney specialist and expert Robert Goldsmith from Greenbaum Rowe Smith and Davis as well as local Attorney Alan Lowcher.

2011 Budget Plan & Project Detail

Operating during such difficult financial conditions, our budget was diligently analyzed to carefully prioritize the physical improvements which would have the greatest impact on the Borough's redevelopment and revitalization, yet still maintain the highest level of service to the community.

Management and Administration encompasses a Board Retreat in January to further solidify our goals and objectives. Projects for 2011 include an update to the WBID Board Manual as well as an "Educational" component to be added for our Board meetings, and more formalized orientation for new Board members.

The **parking lot improvement project** was previously committed in 2009 as a top priority for the next 5 years as it is integral to the continued growth of the downtown. We have allocated \$29,925 in 2011 for construction loan payments.

The **Park project** is a key focus as detailed in the Danth Marketing Action Plan as well as the Borough Redevelopment Plan. A top priority for 2011 is to obtain the funding for the remediation and construction.

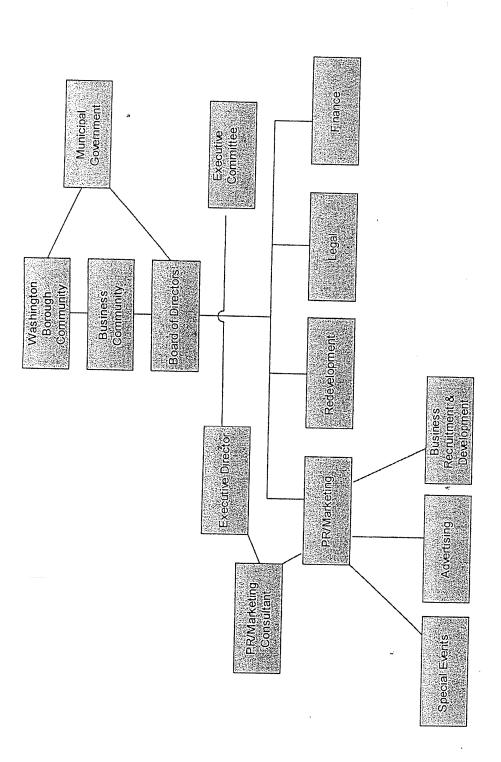
We will begin long term planning and research for funding to move forward on the **Redevelopment Plan for Sub Areas 4 & 5.** This will look to address DPW demo, Shabbecong Creek clean up and restoration, and parking improvement and expansion.

The **marketing and public relations** of Washington Borough is another key priority of the WBID. Within that area we have budgeted events, website improvements and selected print media for advertising. See attached Appendix D for an event schedule

Business Recruitment is indirectly funded through many avenues of our budget; marketing and public relations allotments also contribute to this area. The WBID will produce a printed marketing piece as well as a webpage as an action measure to assist in achieving this goal. 4 events are scheduled for January and February time period with NJAWBO (New Jersey Association of Women Business Owners) and Warren County Community College Franchise class to provide potential leads.

Surveillance/Security grant funding is expected to become available in 2011. We will seek to leverage this opportunity and expand to live capabilities with the Police Department.

Although the majority of funds dedicated to physical improvement will fund the parking lot debt service, we have still directed expenditures in our budget toward the necessary **landscaping, banners and signage**. The existing "Welcome" sign and area are the first impression visitors to Washington have and it is important to maintain this meticulously.



2011 Chart of Classifications of WBID Board of Directors

	Four (4)	DISTNESS OWNERS WHO OWN THEIR PROPERTY	Director Since:	Current Term
Class	B	- BUSINESS OWNERS WHO OWN THEIR PROPERTY Richard Maguire	2002	2000 2011
Class	$\frac{D}{C}$	Monika Hamburger	2003	2009-2011 2010-2012
Class	A	Ed Fliegauf	2007	
Class	A	Tom Fischer	2008	2011-2013 2011-2013
		OWNERS WHO ARE TENANTS IN THE ASSESSED PROPE		2011-2013
Class	C	Ed Winters	2009	2010-2012
Class	A	Tracy Fazzolari	2011	2010-2012
Class	Thre	e (3) - OWNERS OF ASSESSED APARTMENT OR COMMER ARE LANDLORDS OF THE PROPERTY Ed Rossi		
Class	C	Mark Mulligan	2003	2009-2011
Class			2009	2010-2012
Class	A	Kevin Hopkins	2008	2011-2013
		PROFESSIONAL BUSINESS OPERATORS AT LARGE		
Class	В	Greg Fliegauf	2004	2009-2011
Class	C	Marian Bredin	2003	2010-2012
Class	C	DJ Pesaniello	2010	2010-2012
Class	A	Teresa March	2011	2011-2013
Class	ТВ	One (1) – INDUSTRIAL BUSINESS OWNER/OPERATOR		
Class	T R	J. Messina	2006	2009-2011
Class	В	One (1) – RESIDENT PROPERTY OWNER, RESIDING FOR AT LEAST THREE YEARS IN THE SID Kathy Halpin (replaced Mark DeVoe)	2010	2000 2011
L		12apm (replaced rital De 100)	2010	2009-2011
Appointed		Rich Phelan - Washington Borough Manager	2009	2009-
Appointed	Scott McDonald - Washington Borough Mayor		2003-2004,2009-	2009-2012
Appointed			2003-2004,2003-	2007-2012
Appointed		Katie Beyrer - Warren County Chamber of Commerce	2011	2007-2011
		,	2011	2011
	Expires December 2013 at Eleventh Annual Meeting Three Year			
Class B (5)	Expires De	ecember 2011 at Ninth Annual Meeting		Three Year Term
Class C (5)	Expires De	cember 2012 at Tenth Annual Meeting		Three Year Term

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(1) (1) (1) (1)

CHAPTER VI

THE ACTION PLAN

A. Make The Downtown's Pedestrian Friendly Area Come Alive.

Making the pedestrian-friendly downtown area more vibrant and attractive by increasing pedestrian traffic will attract more shoppers, retailers and office tenants.

1. Build the new public space on East Washington Avenue as recommended by Heyer, Gruel. 40 The recommended location of this new public space is very important. It will be visible to the substantial vehicle traffic on East

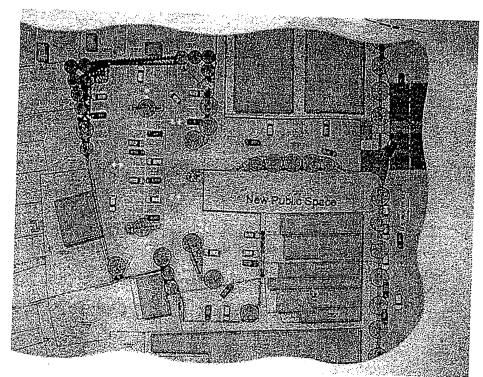


Figure 1. The Recommended New Public Space On East Washington Avenue

Washington. Of critical importance, it also will be very close to a number of important generators of visitors:

- The residents in the new mixed-use building next door
- Visitors parking in the adjacent lot

⁴⁰ Figure 1 was produced by Heyer, Gruel & Associates. It should be noted that DANTH, Inc. recommended adding such a public space in our review of HGA's draft redevelopment plan.

- Patrons of Gibson's Gym
- The children at the nearby daycare center
- Borough Hall's workers and visitors
- The office workers in the rehabilitated Wachovia Building
- The office workers in a rehabilitated Stover Building
- Any nearby eatery serving take-out food at lunchtime

Equally important to the success of this new public space is that it have the infrastructure and the equipment that can encourage visitors to be the performers of informal entertainments. The architects capable of producing a design for such a public space will be heavily influenced by the teachings of William H. Whyte. Failure to implement an appropriate design can lead not only to low public use, but possibly to the emergence of quality-of-life problems.

2. The WBID should strongly encourage eateries in the downtown pedestrian friendly area to have outdoor seating, when weather permits, and possibly offer them incentives to do so.

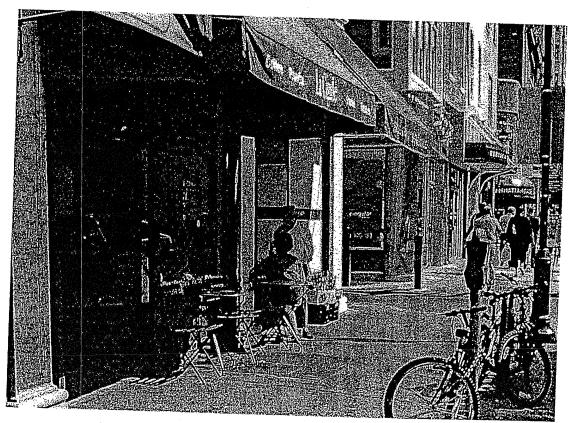


Figure 2. Often, Just A Few Outdoor Tables And Chairs Can Be Very Useful.

Outdoor dining can help make the WBID's downtown area "stickier," i.e., get more people to visit and make visits longer. To begin with, just a few tables and

chairs can help keep visitors in the area while projecting an image of popularity and activity to occupants of the vehicles driving by along Washington Avenue. Success of the initial program would warrant its expansion.

The sidewalks along Washington Avenue are wide enough to accommodate outdoor dining, even on a larger scale than the start-up program proposed here. In diverse locations — e.g., Paris, France and Englewood, NJ — outdoor dining is so popular that it is squeezed in on very narrow sidewalks and some restaurants (e.g., in Kew Gardens, NY) have built special outdoor platforms on streets with inclines to accommodate tables and chairs.

Incentives can often stimulate initial business operator participation in an outdoor dining program. The Bayonne Town Center, for example, bought tables and chairs in bulk for the participating eateries, which enabled a 20% price reduction. It also added a 10% discount of its own to strengthen the incentive package and to demonstrate the organization's commitment to an outdoor dining program.

3. The WBID should create a program to stimulate façade improvements throughout the district, but especially in the downtown area, that is based on making it much easier for business operators and landlords to undertake such renovations.

Improving the external appearance of downtown buildings can be an important element of a comprehensive downtown revitalization strategy. ⁴¹ A lot of shoppers feel that if a store's facade looks unappealing, so will the merchandise to be found inside. Furthermore, a district with many good-looking facades is more likely to be perceived by visitors as a charming and safe shopping area. They consequently will be more inclined to return.

Poor facades make business recruitment more difficult. Quality retailers and restaurateurs definitely do not want to locate near buildings with facades that are unattractive or in poor condition.

Many downtown organizations and city governments offer some sort of incentive package aimed at stimulating landlords or business owners to improve the external appearances of their buildings, but too often they fail to achieve the hoped for level of success.

The more successful programs tend to facilitate innovation by the shopkeepers and landlords. One example is the Jump Start Façade Improvement Program put into action by the Bayonne Town Center Management Corporation. Although the City of Bayonne had a facade program that offered generous financial incentives, few of the existing businesses within the Town Center district were utilizing it.

A Caution: Too many downtown leaders wrongly assume that improved building facades, street lighting, sidewalks and street furniture will by themselves assure their district's economic revival. Instead, they find that their districts are "decorated coffins:" very pretty, but still very dead, with little customer traffic. The aforementioned physical improvements are most likely to have positive impacts when the downtown can also offer attractive suitably-sized commercial spaces, adequate transportation access, security and strong market potentials.

Initially, there was a challenge to find out why participation was so low and then to create a program that would help merchants overcome the existing obstacles. Conversations with merchants indicated that they:

- Had no idea of what their new façade might look like
- · Also had no idea of how much the improvements might cost them
- Knew little or nothing about the materials and colors that might be used
- Did not know any architects or contractors
- Were too busy with their daily business activities to find the answers they
- Feared the city's permissions and approvals process
- Consequently were not ready to apply to the City's façade program.

In response, the Jump Start program provides the following benefits to participants:42

- Westfield Architects delivers to each a package containing:
 - o A rendering of a new façade
 - o A detailed cost estimate for implementing the new façade design
 - o Samples of the materials to be used
- The new façade design is automatically accepted by the city
- Assistance with accessing the city's façade improvement grants
- · Information about contractors who have done façade projects in the district.

The Morristown Partnership is implementing a similar program that differs in a few key respects:

- · City approval is not guaranteed, but the Partnership helps guide the applicant's new design through the town's permissions and approvals
- · Since the town does not give direct grants for façade improvements, the Partnership links participants to local banks and microlenders that have agreed to offer low-interest loans for façade improvement projects

The 34th Street Partnership in Manhattan also has a facilitation-based façade improvement program that provides participants with designs for their new storefronts and or building facades.

4. Improved way-finding signage should be designed and installed, especially signs indicating where the public parking lots are located. Parking capacity that cannot be easily found by visitors, in a very real sense, does not exist. The immediate signage needs can probably be addressed at a fairly reasonable cost and in a relatively short period of time.

⁴² For more information visit; http://www.bayonnetowncenter.com/investing_facade.htm

B. WBID Retailers Should Focus On Getting More Visits And Increased Sales From The District's Existing Customers

Most retail shops garner a huge proportion of their sales from a relatively small part of their customer base. For example, a successful apparel shop typically gets 50% of its sales revenues from just 10% of its customers. Many of these core, big spending customers are also "store apostles," i.e., the folks who will go out and tell their friends about a store and how good it is. Sometimes store apostles will invite their friends and relatives to come along on a shopping trip to the store they so ardently favor.

Shops with strong word-of-mouth support usually have very healthy bottom lines. Store apostles are often opinion leaders in the social networks they belong to. Consequently, they are often the foundation stones of a store's word-of-mouth communications network.

An emphasis on existing customer traffic is well suited for retailers in the midst of a recession.

1. Shopkeepers should try to expand their number of store apostles and facilitate the number of positive messages about their shops that are sent by the store apostles through their personal communications networks.

This can best be achieved by positive personal interactions between a shop's staff and its best customers – or those it hopes will become its best customers.

2. To accomplish these objectives, shopkeepers might:

- Get the email addresses of their special customers and then use them carefully and meaningfully. It is very important not to give email addresses to other merchants without the owners' permission. It is also vital that a merchant only communicates with these special customers when he or she has something substantial to say or offer it's bad to come across as wasting the recipient's time. Twitter might be a very good way to communicate with them.
- Provide a very high, almost pampering level of service for special customers such as extra shopping hours, special orders and offers, birthday cards, expressos, bottled water, etc.
- Invite them to special "trunk shows"
- Invite them to a "thank you" party
- Extend to them special offers
- Hold a fundraising event for a local charity in their store and invite both apostles and targeted customer prospects. The community benefit is obvious. The merchant benefits are having new people see the shop, while putting them in a social context where they are likely to hear nice things about it, and also from the opportunities to reinforce social ties to the store apostles.
- 3. Cross promote with strong, nearby pamper niche operations.

The pamper niche is now bringing into the WBID large numbers of women who are the primary shoppers in their households. One operation, of example, brings in about 140 females each day.

There are a number of ways these cross-promotions can be structured. Gibson's Gym has an in-house TV setup that other WBID businesses can advertise on. Sharing brochures and reciprocal discounts are some other viable possibilities.

4. The WBID's staff and consultants can help district merchants learn how to create and market to store apostles.

As was explained in the discussion of the Jump Start Façade Improvement Program, making it easier for small merchants to make changes can often stimulate a lot more management innovation than would otherwise occur. Generally, small independent merchants are unfamiliar with the concept of store apostles. However, as many as 25% of these merchants might want to learn how to cultivate and market to them -- and these merchants will tend to be among the better ones in a district. A local workshop might be a cost effective way to communicate the needed information, if the merchants would have the time and energy to attend. DANTH's 30+ years of dealing with small merchants suggests that individual, in-store learning sessions have a higher probability of success. Marketing experts at a nearby college or university may be one source for the needed technical assistance expertise; better yet would be a merchant who has successfully grown and harvested a crop of store apostles.

The staff of the WBID would play a crucial role in this effort by:

- Identifying merchants who would be interested in learning about store apostles
- Identifying and mobilizing the needed marketing experts
- Linking merchants and marketing experts.

C. Organize And Market The Home & Heart Niche; Then Use It As A Model For Other Niches

The WBID's home & hearth niche has many attributes that indicate it might be easily organized and effectively marketed to consumers:

- It is relatively large
- Many of its members are being adversely impacted by the current recession
- Many could benefit from an increased marketing effort
- Niche marketing usually can be done at lower cost and higher quality than the individual stores can do individually.

Many of the materials and much of the copy generated by the niche marketing effort can also be distributed by the individual members to their store apostles.

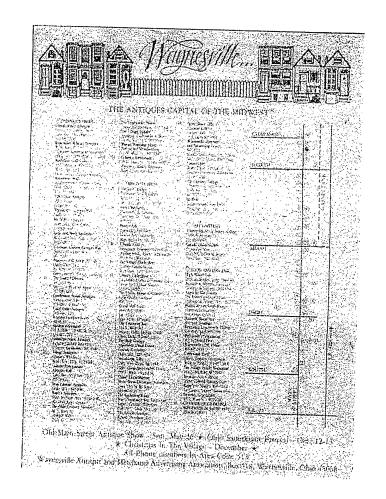


Figure 3. Listing of Antiques Shops in Waynesville, OH, With Small Map



Figure 4. Downtown Rutland Wedding Niche Store Decal



Figure 5. Niche Newspaper Ad Template

Bayonne Town Center is a hot spot for kids this summer!

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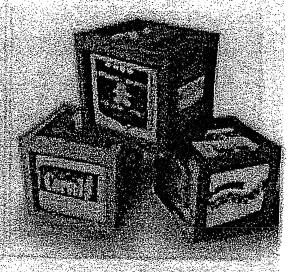
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Figure 6. Editorial Marketing For Bayonne's Kids Row Niche



Figure 7. Rutland's Bridal Show

A frequent side benefit of successful consumer-oriented niche marketing campaigns is that they stimulate interest in downtown business locations among small business people.

1. The key themes that niche marketing should emphasize are:

- The large amount of choice provided by niche shops
- That the shops are close together and it is easy to go from one to another
- This makes shopping easier, faster and more productive

2. Some of the niche marketing tools that can be used:

- A simple, attractive listing of niche stores see Figure 3. Each list entry should contain address information and a very few words that clearly describe what the shop sells. Because of the dispersion of the WBID's h&h niche, a small map would be essential
- Niche store window decals see Figure 4
- Coop newspaper ads see the template in Figure 5. The template provides space for the copy about the niche to be in the center of the page, then individual spaces for the individual ads of each participating niche store above and below
- Stories about the niche in newspapers and magazines see Figure 6.
 This can be a very effective niche-marketing tool. In many instances, the potential impacts warrant paying to have your niche's story published

 Niche events – see Figure 7. Some examples are the Rutland Bridal Show put on by Rutland's wedding niche and A Taste of Portland, done for the restaurants in downtown Portland, OR.

D. Focus Retail Recruitment Efforts On Small Independent Operators And Small Regional Chains ⁴³

1. Be Prepared For A High Level Of Tenant Churn

The retail analysis indicated that because of the modest size of the WBID's trade area, national chains outside of food markets, drugstores and fast food operations were unlikely to want a location in the WBID. The implication of that finding is that the WBID's retail recruitment efforts should focus on independent retail operations, which tend to be small, as well as some small regional chains.

Recruiting such small retailers is something that many savvy real estate brokers and developers do not like to do because it is more difficult and far more expensive than recruiting a national chain:

- The costs of identifying, cultivating and signing independent retailers can be four to six times more expensive than going after and signing a national chain
- Independents often are uncertain about the kind and amount of space they need
- Independents often cannot properly evaluate a new location because they lack information about its trade area
- Independents often lack the credit needed to obtain a lease in a high quality building

Moreover, many small independent business people lack the capitalization and entrepreneurial skills needed to stay in business for more than a few years. In fact, research has shown most small start-ups will be out of business in five years. 44

Consequently, a retail recruitment program targeting small independent firms can be expected to produce a good deal of churn, i.e., it will bring into the district a good number of firms that will be gone after a few years. To really succeed -- in addition to selling firms on the district's business locations -- such a recruitment program must also try to filter out and target the more competent and better financed small retailers. It also would benefit from developing a program that

Scott Shane, "The Start-Ups We Don't Need — The American, A Magazine of Ideas," http://www.american.com/archive/2009/entrepreneurship-the-start-ups-we-don2019t-need.

See David Milder, <u>Downtown Business Recruitment</u> (DANTH Inc, 2005: Kew Gardens, NY) pp.125, pp. 31-34. It can be downloaded free of charge at www.danth.com